

SECTION 7 TITLE VI NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

7.1 OVERVIEW

TITLE VI OF THE 1964 CIVIL RIGHTS ACT declares it to be the policy of the United States that discrimination on the ground of race, color, or national origin shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy.

An overview of Title VI can be viewed online at:
http://www.fhwa.dot.gov/environment/title_vi.htm.

The text of the statute itself can be viewed online at
<http://www.usdoj.gov/crt/cor/coord/titlevistat.htm>.

The Real Estate Section shall comply with all aspects of Title VI, and shall insure that all employees, subrecipients (Local Public Agencies, cities and municipalities over which it has oversight), as well as its consultants are adequately trained to insure compliance with all aspects of the regulations. The primary responsibility for such training rests with the Compliance Programs Section, which will be notified of all Project Kick-Off Meetings so that the DOTD Compliance Programs Specialist can attend and provide the appropriate level of Title VI training.

As required by [23 CFR SUBCHAPTER C -- CIVIL RIGHTS PART 200--TITLE VI PROGRAM AND RELATED STATUTES--IMPLEMENTATION AND REVIEW PROCEDURES](#), Real Estate shall collect necessary demographic data on owners and displacees to provide the DOTD Compliance Programs Section. **The Compliance Programs Section will use this information to observe appraisal, acquisition and relocation activities as necessary to assure Real Estate's compliance with Title VI requirements.**

PROCEDURES

1. Data Collection – Property Owners and Displacees
 - a. Beginning December 1, 2005, Real Estate staff and consultants shall collect the following information on owners and displacees on all new projects:
Race, Color or National Origin Sex Disability
Negotiators will advise owners and displacees that Title VI requires the Department to collect this information, as outlined in the Informational Brochure (page 4.) If the subject declines to supply this information, the interviewer will indicate his/her best assessment. This information will be made a part of the Negotiator's Summary Report

- b. For property owners, the information will be collected at the first face-to-face contact. The information will be input into AARS by the field agent or consultant negotiator as soon as possible.
- c. For displacees, the information will be collected at the time of the Occupant Inventory, and will be input into AARS by the field agent or consultant negotiator as soon as possible.

2. Data Collection – Consultant Panels

- a. Beginning December 1, 2005, new applicants for inclusion on the Department's consultant panels will be asked to voluntarily provide the following information for EEO purposes:

***Race, Color or National Origin Sex Disability
Certified as Disadvantaged Business Enterprise (DBE)?***

If the information is provided, it will be noted in the Consultant Panel Database.

- b. Computer data on existing panel members who are personally known by Real Estate staff will be updated to indicate this information.

3. Reports on Protected Classes

New reports will be developed and made available to the Compliance Programs Section on the above-outlined demographics:

- a. A report listing the demographic information on all owners and displacees on projects undertaken after December 1, 2005, on which right of way activities are still pending. The report will be filterable by District, Project or Parish and will show the assigned Review Appraiser, Real Estate Project Manager and District Manager.
- b. A report listing all persons on Consultant Panels who fall in any protected category or are registered as a DBE.

4. Real Estate Correspondence Provided to Compliance Programs Section

- a. Beginning December 1, 2005, copies of the following letters will be sent to the Compliance Section.
 - i. Project Appraisal Requests letters - This will serve as notification to the Compliance Programs Section that appraisal activities are about to begin.
 - ii. Initiation of Negotiation Letter – This will serve as notification to Compliance that acquisition and relocation activities have begun on a particular project.
- b. Although race, sex and age information will not be available on projects until appraisals are complete and negotiations actively begun, these letters will give the Title VI Specialist a snapshot of active right of way projects.

5. Coordination between Compliance and Real Estate

When the Compliance Programs Section selects Real Estate activities to monitor, the Title VI Specialist will contact the Project's Review Appraiser, Project Manager or District Manager to arrange advance notification of meetings with the owners or displacees.

7.2 DISCRIMINATION COMPLAINTS

The Real Estate Administrative Manager shall serve as the Title VI Coordinator of the Real Estate Section and, as such, will be notified of any allegations of Title VI violations by its employees, subrecipients or consultants, and will forward them to the Compliance Programs Section for investigation.

PROCEDURES

1. A copy of [The Title VI Discrimination Form](#) shall be included in the Acquisition of Right of Way and Relocation Assistance brochure given to all owners and displacees. Persons alleging discrimination will be advised by Real Estate or the Compliance Programs Section to fill out this form to formally institute their complaint. If the claimant needs assistance in completing this form, Real Estate or Compliance will provide it upon request.
2. Complaint forms should be mailed or faxed by complainants to the Compliance Program Section. Any complaints sent directly to Real Estate by a complainant will be forwarded to the Real Estate Administrative Manager, who will log them in and forward to the Compliance Programs Section, with a copy to the Real Estate Administrator.
3. Real Estate will provide the Compliance Programs Section and/or FHWA with all documents and data requested in a timely manner so that the claim can be fully investigated.
4. If the formal findings of the investigation reveal evidence of discrimination, Real Estate will take whatever remedial actions are deemed necessary. Staff found to have committed discrimination (intentionally or unintentionally) may be counseled, directed to take remedial Title VI training or disciplined as appropriate. A finding of discrimination against a subrecipient/consultant may result in the imposition of administrative remedies or sanctions.

Louisiana Department of Transportation and Development

Title VI Discrimination Complaint Form

Name	Phone	Name of Person(s) Who Discriminated Against you.	
Address (Street No., P.O. Box, Etc.)		Location and Position of Person (If known)	
City, State, Zip		City, State, Zip	
Discrimination Because Of: __Race/Color/National Origin __Sex __Disability __Age __Retaliation		Date of Alleged Incident	
<p>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved and witnessed the discrimination. Be sure to include how other persons were treated differently than you. Attach any written material pertaining to your case.</p>			
Signature		Date	

Please return this form to:

Compliance Programs Office
P.O. Box 94245
Baton Rouge, LA 70804-9245

Telephone Number : (225) 379-1382
Fax Number : (225) 379-186